

REMARKS

In the Official Action mailed on December 13, 2004, the Examiner indicated that claims 1-18 were currently pending. The Examiner rejected claims 9-14 under 35 U.S.C. § 101 as claiming the same invention as set forth in claims 1-6 of U.S. Patent No. 6,259,971, and the Examiner rejected claims 1-8 and 15-18 under the judicially created doctrine of obviousness-type double patenting in view of claims 15-25 of U.S. Patent No. 6,259,971.

In regard to the rejection under Section 101, Applicants respectfully point out that Applicants previously cancelled claims 9-14 in the Request for Filing Divisional Application under 37 C.F.R. § 1.53(b) mailed on May 21, 2001, a copy of which is attached as Exhibit 1. Accordingly, as can be seen in the listing of claims set forth herein, claims 9-14 are listed as being cancelled. In view of this fact, Applicants respectfully submit that the Examiner's rejection under Section 101 is moot.

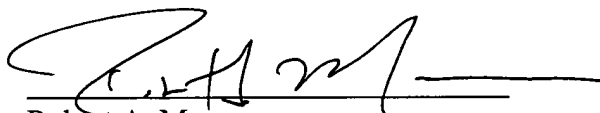
In regard to the rejection of claims 1-8 and 15-18, Applicants respectfully direct the Examiner's attention to the Official Action mailed on September 11, 2000, in parent application Serial No. 08/885,253, which ultimately issued as U.S. Patent No. 6,259,971, a copy of which is attached as Exhibit 2. In this Official Action, the Examiner stated that the inventions set forth in claims 9-14 were distinct from the inventions set forth in claims 1-8 and 15-18. Accordingly, Applicants elected to prosecute claims 9-14 in the '253 application, and Applicants filed the present divisional application to prosecute claims 1-8 and 15-18. During the prosecution of the '253 application, Applicants added claims that ultimately issued as claims 7-25 in the '971 patent. At the time such claims were added to the '253 application, the Examiner agreed that

such claims were properly grouped with the claims that had been previously elected, and the Examiner did not issue any further restriction requirements. As a result, Applicants respectfully submit that claims 1-8 and 15-18 in the present application are patentably distinct from all claims in the '971 patent and, as such, an obviousness-type double patenting rejection is inappropriate. Accordingly, Applicants respectfully request withdrawal of this rejection and allowance of claims 1-8 and 15-18.

If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number below.

Respectfully submitted,

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